

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 UNITED STATES OF AMERICA, )  
9 Plaintiff, ) CASE NO. CR09-157-MJP  
10 v. )  
11 BOEMONT JAMES BRIDE, ) SUMMARY REPORT OF U.S.  
12 Defendant. ) MAGISTRATE JUDGE AS TO  
 ) ALLEGED VIOLATIONS  
 ) OF SUPERVISED RELEASE  
\_\_\_\_\_  
)

14 An evidentiary hearing on supervised release revocation in this case was scheduled  
15 before me on December 9, 2011. The United States was represented by AUSA Francis  
16 Franze-Nakamura and the defendant by Jennifer Wellman. The proceedings were digitally  
17 recorded.

18 Defendant had been sentenced on or about August 24, 2006 by the Honorable Jack D.  
19 Shanstrom in the District of Montana (Case No. CR05-168-GF-JDS-01) on a charge of  
20 Manufacture of Counterfeit Currency, and sentenced to 36 months custody, 3 years supervised  
21 release. The case was transferred to this District on May 20, 2009. (Dkt. 3-1.)

22 The conditions of supervised release included the standard conditions plus the

01 requirements that defendant participate in substance abuse testing, participate in a substance  
02 abuse program, submit to search, provide his probation officer with financial information upon  
03 request, abstain from alcohol, and pay restitution in the amount of \$420. (Dkt. 3-24 *et seq.*)

04 The conditions of probation were modified on July 2, 2009 to require defendant to  
05 participate in a home confinement program with electronic monitoring and sobrietor for up to  
06 120 days. (Dkt. 4.) An additional 120 days was added on October 6, 2009. (Dkt. 5.)

07 On March 29, 2011, defendant admitted violating the conditions of supervised release  
08 by failing to participate in substance abuse testing, using methamphetamine and amphetamines,  
09 and failing to follow the instructions of his probation officer by using a synthetic cannabinoid.  
10 (Dkt. 15.) Defendant was sentenced to 90 days in custody, one year supervised release. (Dkt.  
11 19.)

12 In an application dated November 16, 2011 (Dkt. 20, 21), U.S. Probation Officer Brian  
13 K. Facklam alleged the following violations of the conditions of supervised release:

14 1. Using amphetamine on or about October 5, 2011, in violation of standard  
15 condition No. 7.

16 2. Failing to appear for drug testing on July 27, August 26, August 29, October 4,  
17 November 1, and November 14, 2011, in violation of his special condition of supervision which  
18 directs that he submit to drug testing as directed.

19 3. Failing to participate as instructed in a substance abuse program on or before  
20 November 10, 2011, in violation fo the special condition directing him to do so.

21 Defendant was advised in full as to those charges and as to his constitutional rights.

22 Defendant admitted the violations and waived any evidentiary hearing as to whether

01 they occurred. (Dkt. 27.)

02 I therefore recommend the Court find defendant violated his supervised release as  
03 alleged in violations 1-3, and that the Court conduct a hearing limited to the issue of disposition.

04 The next hearing will be set before Judge Pechman.

05 Pending a final determination by the Court, defendant has been released on supervision.

06 DATED this 9th day of December, 2011.

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09 Mary Alice Theiler  
10 United States Magistrate Judge

11 cc: District Judge: Honorable Marsha J. Pechman  
12 AUSA: Francis Franze-Nakamura  
13 Defendant's attorney: Jennifer Wellman  
14 Probation officer: Brian K. Facklam  
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